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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,119	08/25/2003	Yi Chien Chen		3198

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WEI TE CHUNG
FOXCONN INTERNATIONAL, INC.
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EXAMINER

NGUYEN, HANH N

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

5K

Office Action Summary	Application No. 10/648,119	Applicant(s) CHEN ET AL.	
	Examiner Hanh Nguyen	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/25/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3, 5, 11, 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "port performance" in line 2. There is insufficient antecedent basis for this limitation in the claim.

In claim 3, is "port performance" in the middle of line 2 identical to " port performance" at the beginning of line 2?

In claims 5 and 11, "display definitions" is not clearly addressed. If the "display definitions" are referred to "colors corresponding to different traffic volume statuses and image configurations that respectively represent two duplex statuses" indicated in claim 4, applicant is required to amend the claim to define the meaning of "display definitions".

Claim 14 shows "similar predefining display definitions" on line 2 which requires attention from applicant. Examiner will examine this claim 14 upon an explanation is made from applicant.

Claims 12-15 are rejected because they depend on claim 11 respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 15 are rejected under 35 USC 103(a) as being unpatentable over

Hamilton et al. (US Pat. 6,975,963 B2) in view of Day(Pat. 7,168,049 B2).

In claims 1, 2, 7, 11 and 12, Hamilton et al. discloses a port information display system (see fig.1, performance system 100) implemented in a networking infrastructure comprising an administrative workstation (see fig.1; col.6, lines 50-65; network monitor 110) and a plurality of network devices (data storage networks 160-164, wherein the data storage networks 160-164 are multiport routers, switches), the administrative workstation (network monitor 110) comprising: a network monitoring module for obtaining information on ports of the network devices (fig.1; col.7, lines 40-50; monitor 152 with a user interface GUI 156 through which a user at node 150 view reports on display); and a plurality of port information pages (fig.5, performance display 510; col.13, lines 10-25); each (performance display 510) comprising a simulative figure (fig.5; port performance 512) for simulating a front panel of a respective network device (creating a user graphical interface 156) and for displaying information on ports of the network device (trace 526 indicates performance of network component), the simulative figure comprising a plurality of port icons (each display 510 comprises time range display 516, histogram display 518), and for displaying traffic volume statuses (see col.8, lines 32-45; traffic values 132 relative to switch port). Halmiton et al. does not disclose duplex statuses for corresponding ports respectively with different colors and image configurations. Day discloses source and destination ports are displayed as icons. The display uses a variety of colors, icons to indicate attributes of

the ports (see abstract). Therefore, it would have been obvious to combine the teaching of Hamilton et al. in view of the teaching of Day to each respective port icon with a correspondings color and to display current state of connections between respective source and destination ports.

In claims 3 and 15, Hamilton et al. discloses information on ports comprises port performance and event information (see fig.5, event threshold), and port performance comprises a working status, a transmission speed (port bandwidth such as rate ; col.7, lines 58-64 and col.8, lines 30-45) and a duplex status.

In claims 4, 9, Hamilton et al. discloses administrative workstation further comprises a database for storing information on ports of the network devices(see fig.1; col.7, lines 50-60; discovery mechanism 112 stores topology information of network devices 160-164 in a database), and for storing display definitions, said definitions comprising colors corresponding to different traffic volume statuses and colors and image configurations that respectively represent two duplex statuses (as disclosed by Day in claim 1, variety of colors correspondings to source and destination port).

In claims 5, 10, 13, with the discussions of Hamilton et al. and Day above in claim 1, Hamilton et al. further discloses port information is in real time (traffic at ports is real time; see col.9, lines 18-25).

In claims 6 and 8, Hamilton dicloses port speed in the display 510, but does not disclose a port icon displaying port speed. With the teaching of port icon of Day in claim 1 above, it would have been obvious implement the port icon of Day into the Hamilton to indicate the speed at the port icon. The motivation is to display port speed at the port icon.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Onaga (Pat. 5,862,404);

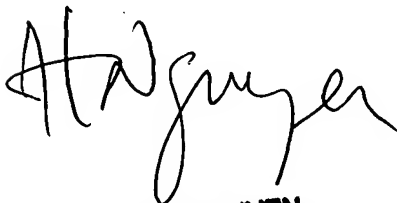
Miyawaki (Pat. 6,006,045).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Thursday from 8:30 to 4:30. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Field , can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen



**HANH NGUYEN
PRIMARY EXAMINER**